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C O N F I D E N T I A L SECTION 01 OF 03 BAGHDAD 003754

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TAGS: [PHUM](#) [KDEM](#) [PGOV](#) [KJUS](#) [KWMN](#) [IZ](#)  
SUBJECT: MOI HUMAN RIGHTS DIRECTOR ON FOLLOW-UP TO  
DETENTION CENTER INSPECTIONS

REF: A. BAGHDAD 1866  
[1](#)B. BAGHDAD 1377

Classified By: DEPUTY POLITICAL COUNSELOR ELLEN GERMAIN FOR REASONS 1.4  
(B,D).

[1](#)1. (C) SUMMARY: Ministry of Interior (MoI) Human Rights Director Mazen Kamel Al-Qoraishy on November 5 described measures he took to follow-up on a severely burned detainee and a juvenile that were found during a Coalition-supported, bilateral inspection of the MoI Criminal Investigations Directorate (CID) detention center in the Ameriyah neighborhood of Baghdad on November 3. Mazen noted that security threats restricted medical teams' ability to visit MoI detention facilities, while negligence hampered promptly identifying and removing juveniles from adult detainee populations. Mazen also reported actions he has taken to follow up on other recent cases, such as an alleged rape at a police station and the alleged abuse of a detainee at another MoI CID facility in Adhamiyah neighborhood. He noted although those cases were complete enough to be referred to investigative judges for prosecution, assembling sufficient evidence to do this for other similar cases is consistently challenging. Mazen appealed for human rights training and resources for his office. END SUMMARY.

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FOLLOW-UP TO NOVEMBER 3 INSPECTION  
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[1](#)2. (C) MoI Human Rights Director Mazen Kamel Al-Qoraishy said November 5 that he planned to seek punitive action against Colonel Rashid, the administrator of the MoI CID detention center in Ameriyah, for negligence noted during a November 3 Coalition-supported bilateral inspection of the facility. Among the problems that Mazen, Coalition forces, and PolOff observed in the crowded facility was the lack of medical treatment for a severely burned and reportedly tubercular detainee, Sa'ed Abass Hussein, as well as the presence of a young-looking detainee, Raad Abus Kareem, who claimed to Coalition personnel that he was 16 years old. One-hundred-fifty-two men were held at the reportedly 100-person capacity facility, which had toilets covered in human waste and a central trash container covered in maggots. Mazen said that drawing upon statements he took from detention center staff and detainees during the inspection, he would consult with MoI Inspector General (IG) Akeel al-Tarahi on Rashid's failure to monitor the detainees' condition and track the progress of their investigative files. Mazen noted that Rashid's most likely punishment would be transfer to other duties.

[1](#)3. (C) Expressing frustration on receiving the medical report

two days after he had ordered Colonel Rashid to send it to his office, Mazen told PolOff November 6 that Sa'ed Abass Hussein had been transferred to a hospital for treatment on November 3. He provided a copy of the report from Al-Yarmouk Educational Hospital, which stated that Sa'ed had first and second degree burns from both sides of the waist to his feet "considered as serious." Mazen said that Sa'ed, who had been unable to wear clothing due to his burns, told him November 3 that two days earlier, out of desperation from his extended detention, he had tried to kill himself using scalding water heated with a hand-held, kerosene-fueled heater that had been smuggled into the facility. (Note: The detention inspection team photographed Sa'ed's burns, which also covered the entire back portion of his body and appeared to be oozing. Although reportedly tubercular, he was confined in a room with 28 other detainees. End note.)

14. (C) Mazen said that his investigation team located detainee files onsite, and he saw one file that had been signed by a judge on November 1. However, he lamented that various police stations responsible for the areas where detainees allegedly carried out their crimes were not responding to letters that police investigators and investigative judges wrote seeking information to complete detainee files in order to refer the cases to trial. Mazen said that while Colonel Rashid was negligent in following up the completion of detainee files, replacing Rashid would probably not resolve the problem.

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MOH: SECURITY CONCERNS HAMPER MEDICAL CHECK-UPS  
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BAGHDAD 00003754 002 OF 003

15. (C) Mazen said that he previously wrote letters to the Ministry of Health (MoH) to dispatch medical teams to the CID detention facility in Ameriyah. However, the MoH sent its regrets that its staff could not go to Ameriyah, because medical teams had been shot at in the area. (Note: The predominantly Sunni community in Ameriyah began a local uprising against Al-Qa'eda in Iraq in their neighborhood in late May (ref A). End note.) Mazen said normally medical teams that visit detention facilities consist of at least one doctor and three to four nurses traveling together in an ambulance. According to Mazen, the jailer told him that one detainee with some knowledge of simple medical treatments had been treating fellow detainees using medicine that the jailer brought the facility. On November 3, Coalition inspectors also noted that according to detainees, no official government health providers had visited the facility, although a volunteer Muslim medical provider had visited the facility several weeks earlier. Inspectors reported that detainees -- some with untreated lice and rashes -- complained of illnesses related to the lack of climate control in the facility.

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REMOVAL OF JUVENILE DETAINEES  
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16. (C) Commenting on the presence of possible juvenile detainee Raad Abus Kareem, Mazen stated that there was an official MoI policy that police must transfer juveniles from police stations to juvenile detention facility rather than an adult facility within two or three days of their arrest. Therefore, he would report Raad's presence as negligence to the IG. Mazen said when onsite detention officials could not produce Raad's identification card during the inspection he gave them two options -- ask family visitors to produce an identification card proving Raad is not a juvenile or send him to a forensics department to determine his age through dental analysis. According to Mazen, a Captain Sabah claimed to him that in the three months since Raad had been detained in the facility, there had been no time to send him for age determination.

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COMPLETE CASES AGAINST ABUSERS HARD TO BUILD  
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¶7. (C) Mazen said that while during the inspection no detainees complained of torture onsite, he spoke to three detainees who alleged they were each tortured over a year ago by a "Major Adnan" at the Khadimiya MoI Second National Police facility at Forward Operating Base Justice before being transferred to Ameriyah. One of the three, he said, alleged becoming blind from the abuse. Mazen criticized the CID facility's negligence in receiving the detainees in the first place without examining them for signs of torture and documenting their condition. Mazen said that while he took statements, he assessed that it would be very difficult to prosecute the cases based on statements from the detainees alone.

¶8. (C) Mazen explained that witness statements and medical reports would be needed to support alleged abuse cases. For example, he said, many people have alleged that officers known to have been members of the MoI Wolf Brigade (now the Second National Police Division) tortured them; however, their cases could not move to prosecution because there were neither witnesses nor medical reports backing their claims.

¶9. (C) As a counter-example, Mazen stated he was able to build a complete case based on following up on a past Coalition-supported bilateral inspection of the CID facility in Adhamiyah. He said that upon locating a detainee with physical signs of torture, the inspectors photographically documented the injuries, took a statement from the detainee who identified his alleged torturer, and moved the detainee immediately to a medical clinic, which produced a medical report. Based on the complete information available in this case, Mazen stated, the accused MoI officer, who was still working at the facility during the inspection, was charged for the abuse. He noted that detained MoI police officers are held at the MoI's Al-Qanat facility.

¶10. (C) He said he had forwarded another complete case of a young girl who reported to the chief of the police station where she was delivered that she was gang-raped by the two officers who had arrested her. According to Mazen, the case

BAGHDAD 00003754 003 OF 003

was referred to the MoI IG's office, which referred the accused officers' names to be charged in court after forensics testing corroborated the girl's allegations. He noted, however, that the accused officers did not report to work after the incident and the alleged victim is now detained in the juvenile ward of the Ministry of Justice's Khadimiya Women's Prison. (Comment: The girl's arrest was apparently still valid, despite having been allegedly raped by the officers who arrested her. End comment.)

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TRAINING RESOURCES ALLEGEDLY DIVERTED  
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¶11. (C) Mazen appealed for training for his staff to build skills in report-writing and inspecting detention facilities.

He complained that the Ministry of Human Rights (MoHR) was only taking care of training its own staff. However, in a separate conversation with PolOff on November 4, MoHR Director of International Relations and Cooperation Adel Khudhayyir Abbas Al-Masody said that this year the MoI prevented a woman who had been nominated to join a MoHR team in Australia for human rights training from traveling, even after she received her visa for the trip. Mazen said that he did not know about this training program, and noted that invitations for human rights training had to be specifically addressed to his directorate, otherwise, the invitation might be diverted to and accepted by another MoI office having nothing to do with human rights. He also said he was embarrassed to

admit that the IG had been unresponsive to his requests for computers, digital cameras, and other equipment to support his office's functions and speculated that such requests may need to be directed to Interior Minister Jawad Bolani.

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COMMENT  
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¶12. (C) The structural barriers to adequate follow-up on substandard detention center findings ranging from alleged abuse to unsanitary conditions, as illustrated by Mazen's feedback, are considerable. Nonetheless, his reports of cases of detainee abuse being referred to trial through the Iraqi justice system, based on evidence collected by MoI officials is encouraging. In March, Mazen had not reported any abuse cases referred to trial, and had mainly been vocal about poor support for the MoI Human Rights office and the threat of assassination (ref B). Due to pervasive security threats, the MoI Human Rights office's ability to continue conducting detention center inspections in the foreseeable future will likely remain largely dependent on its ability to obtain force protection support from either Coalition or Iraqi Security Forces. Post will seek appropriate human rights training opportunities for Mazen and his staff. END COMMENT.  
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